

**SAINT LOUIS COUNTY POLICE DEPARTMENT
INVESTIGATIVE REPORT
14 - 44717**

Incident(s) Related To

14-45038	SAINT LOUIS COUNTY	RELATED REPORTS
14-44718	SAINT LOUIS COUNTY	RELATED REPORT

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14-44717

**SAINT LOUIS COUNTY POLICE DEPARTMENT
 INVESTIGATIVE REPORT
 14 - 44717 - ORIGINAL**

INVESTIGATIVE INFORMATION

Offense	REFUSAL TO DISPERSE		
Juris Reporting	SAINT LOUIS COUNTY	Call Received	ON VIEW
For Jurisdiction	FERGUSON	Reporting Officer	2744 - MENZENWERTH
Case Status	CLEARED BY ARREST	Reporting Dept.	PLANNING AND ANALYSIS
CAB Details			
Date/Time Received	08/13/2014 15:30 WEDNESDAY	Nature	PEACE DISTURBANCE
Date/Time Dispatch	08/13/2014 15:30 WEDNESDAY	Date/Time Arrival	08/13/2014 15:30 WEDNESDAY
Unit Num.	9999	COGIS	2160
PCT/Dist	CENTRAL COUNTY PRECINCT	Sector	
Respond Location			
Street Address	FERGUSON AVE AND WEST FLORISSANT AVE, SAINT LOUIS COUNTY, MISSOURI		
Apt/Suite/Rm #	Location Desc		
Caller Information			
Caller Name			
Street Address			
Apt/Suite/Rm #	Location Desc		
Area Code	Phone #		
Occurrence Details			
Date/Time From	08/13/2014 15:30 WEDNESDAY	Date/Time To	
Premise	STREET/HIGHWAY/SIDEWALK/ALLEY		
Street Address	FERGUSON AVE AND WEST FLORISSANT AVE, SAINT LOUIS COUNTY, MISSOURI		
Apt/Suite/Rm #	Location Desc		
Entry Details			
Entry Point	Exit Point		
Entry Method	Tools Used		
<input type="checkbox"/> Visible Point of Entry?			
Weapon/Object Used			
Other Agency			
Agency/Personnel			
Investigator(s)			
DSN	2725	Jurisdiction	SAINT LOUIS COUNTY
Name	RYAN	Unit Assignment	NEIGHBORHOOD ENFORCEMENT TEAM
DSN	3937	Jurisdiction	SAINT LOUIS COUNTY
Name	MCCOY JR.	Unit Assignment	TACTICAL OPERATIONS
DSN	3668	Jurisdiction	SAINT LOUIS COUNTY
Name	MURPHY	Unit Assignment	TACTICAL OPERATIONS
DSN	3813	Jurisdiction	SAINT LOUIS COUNTY
Name	SPARKS	Unit Assignment	TACTICAL OPERATIONS
DSN	2909	Jurisdiction	SAINT LOUIS COUNTY
Name	WOLFF	Unit Assignment	PLANNING AND ANALYSIS
DSN	2648	Jurisdiction	SAINT LOUIS COUNTY
Name	MCCANN	Unit Assignment	NEIGHBORHOOD ENFORCEMENT TEAM
DSN	3353	Jurisdiction	SAINT LOUIS COUNTY
Name	STEINMETZ	Unit Assignment	METRO AIR SUPPORT UNIT
DSN	3879	Jurisdiction	SAINT LOUIS COUNTY
Name	HILL	Unit Assignment	DRUG ENFORCEMENT
DSN	563	Jurisdiction	ST. CHARLES COUNTY
Name	BAKER	Unit Assignment	
DSN	293	Jurisdiction	ST. CHARLES COUNTY

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Name		Unit Assignment	
DAVIS			
Management			
Date/Time Entered	02/20/2015 14:19 FRIDAY	Entered By	2909 - WOLFF
Approval Record(s)			
FINAL APPROVAL	05/04/2015 03:30 MONDAY	Approved By	3093 - BEVINEAU
SUPERVISOR REVIEW	05/04/2015 01:06 MONDAY	Approved By	2701 - MORROW

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VICTIM BUSINESS INFORMATION

<input checked="" type="checkbox"/> Will Prosecute	
Business Name	ST LOUIS COUNTY
Business Type	GOVERNMENT
Additional Info	
BUSINESS Address	
Street Address	7900 FORSYTH BLVD, SAINT LOUIS, MISSOURI, 63105
Apt/Suite/Rm #	Location Desc
BUSINESS Phone	
Area Code	314
Phone #	889-2341
Contact Name	
Ext.	

ADDITIONAL PARTY INFORMATION

Person Role(s)	WITNESS, POLICE OFFICER		
Person Information			
Last Name	RYAN	Middle Name	
First Name	DSN 2725	Suffix Name	
SSN		Ethnicity	
License Number		License State	
Race		Sex	
DOB		Age	
Resident Status			
Additional Info			
Employer	ST LOUIS COUNTY POLICE DEPARTMENT	Occupation	POLICE OFFICER
BUSINESS Address			
Street Address	7900 FORSYTH BLVD, SAINT LOUIS, MISSOURI, 63105		
Apt/Suite/Rm #	Location Desc		
BUSINESS Phone			
Area Code	314	Contact Name	
Phone #	889-2341	Ext.	
Email Address			

SUSPECT INFORMATION

Role	ARRESTED-BOOKED AT JUSTICE SERVICES		
Numeric Identifier(s)			
Charge(s)	REFUSAL TO DISPERSE		
Caution Code(s)			
<input type="checkbox"/> Medical Assistance <input type="checkbox"/> Miranda Given <input checked="" type="checkbox"/> Released <input type="checkbox"/> Send A Teletype <input type="checkbox"/> Using Computer Equipment <input checked="" type="checkbox"/> Warrant To Be Applied For By Reporting Officer			
Person Information			
Last Name	WHITE	Middle Name	A
First Name	TRACEY	Sur Name	
Alias		Ethnicity	NOT OF HISPANIC ORIGIN
SSN	██████████3785	<input type="checkbox"/> Employed	
License Number		License State	
Race	BLACK	Sex	FEMALE
DOB	██████████1976	Marital Status	UNKNOWN
Age	38	Resident Status	RESIDENT
Person Code	ADULT	Birth Place	
School District			
Additional Info			
Personal Descriptors			
Height	5 ft 6 in.	Weight	252.0 lb.
Eye Color	BROWN	Hair Color	BLACK
How Worn			

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Physical Desc.
 Clothing Desc.
 Scars/Marks/Tattoos

HOME Address		
Street Address		
Apt/Suite/Rm #	Location Desc	
MOBILE Phone		
Area Code	314	Contact Name
Phone #	616-5363	Ext.
Email Address		
Physical State/Emotions		
Physical State		
Emotions		
Emotions Comments		

Related Victim Business

1. WHITE, TRACEY, A IS THE STRANGER OF ST LOUIS COUNTY

NARRATIVE

Your attention is directed to original report number 14-45038 as prepared by Detective Edwin Menzenwerth, DSN 2744, assigned to the Division of Operational Support, Planning and Analysis Unit. This incident reflects the protracted and acute period of rioting that occurred within Saint Louis County as well as many of the municipalities contained therein between August 9, 2014 and August 26, 2014.

On Monday August 11, 2014 Mister William Howe, Executive Director of the Division of Operational Support ordered Detective Menzenwerth to conduct an investigation into the riots that occurred within the above noted time frame to include arrests that were directly related to those riots. The following is an account of the arrest of Ms. Tracey White whose unlawful actions as documented in this narration directly contributed to that period of civil unrest.

The Command Post of the Saint Louis County Police was established within Buzz Westfall Plaza at 8023 West Florissant, Jennings Missouri 63136. All officers contained herein were sworn officers who were assigned to the Command Post and were licensed through the State of Missouri, Department of Public Safety, Police Officer Standards and Training Program. The agency from which any given officer received a commission will be noted upon their appearance in this report. Further, all officers were clad in such a manner as to clearly identify themselves as law enforcement personnel.

On August 13, 2014 at approximately 3:30 PM Sergeant David Ryan, DSN 2725, commissioned officer and supervisor of the Saint Louis County Police Department directed that Ms. Tracey White should be arrested for Interfering with the Duties of a Police Officer while at the intersection of Ferguson Avenue and Sharondale Court. Minutes after the arrest of Ms. White, Police Officer Terrence McCoy DSN 3937 commissioned officer of the Saint Louis County Police Department assigned to the Division of Special

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Operations, Bureau of Tactical Support, Neighborhood Enforcement Team, arrested Mister William Davis, the son of Ms. White. The following is an account of the investigation into that specific matter of those two arrests.

It should be noted that Detective Baker DSN 563 and Police Officer Davis DSN 293 of the Saint Charles Regional SWAT Team effected the arrest upon the orders of Sergeant Ryan. For details concerning the actions of Detective Baker and Police Officer Davis refer to Saint Charles County Sheriff's Department report number 14-3958.

The area was primarily residential consisting of multiple family residences of the Park Ridge Apartments complex with some small businesses at the periphery of the neighborhood. Sharondale Court was an unlined two way private roadway of asphalt construction. There were no pedestrian walkways bordering Sharondale Court. Ferguson Avenue was at that location a two way street of asphalt construction consisting of one traffic lane for west bound traffic and one traffic lane for eastbound traffic. The traffic lanes were bifurcated by a set of double yellow lines. Pedestrian sidewalks bordered Ferguson Avenue. The intersection was wholly contained within the city limits of Ferguson whose corporate boundaries were wholly contained within Saint Louis County as well as the State of Missouri.

On February 18, 2015, Detective Menzenwerth accessed the web page of the "NOAA Solar Calculator." Apparent Sunrise, on August 13, 2014, as determined by the Department of Commerce, National Oceanic and Atmospheric Administration was at approximately 6:13 AM. Apparent Sunset on August 13, 2014 was reported to be at 7:58 PM. The arrest therefore occurred during hours of daylight.

On March 18, 2015 Detective Menzenwerth interviewed Sergeant Ryan concerning his actions in this matter. Sergeant Ryan was able to provide the following information.

Sergeant Ryan began that on Wednesday August 13, 2014 he was assigned by the Command Post as a Supervisor of the Neighborhood Enforcement Team to a skirmish line that had formed near the Public Storage business located at 9291 West Florissant. The members of the Neighborhood Enforcement Team that were with him at that time were Police Officer Terrence McCoy, Police Officer Michael McCann and Police Officer Daniel Hill.

At that time there were shots being fired in the area from behind the businesses. An order was given for the line to begin to walk south on West Florissant. Among other duties, Officers were to advise any business owner of the danger and recommend that they should close for their own safety. Sergeant Ryan recalled that he went into the Clip

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Appeal located at 9183 West Florissant. Therein, Sergeant Ryan met with representatives of the business who stated that they were going to seal themselves in the business. Sergeant Ryan also went to the Yellow Diamond Boutique located at 9183 West Florissant Avenue where he expressed concern for the safety of the persons who were present. The representative of this business stated to him that they were going to close.

Upon arrival at the McDonald's restaurant, located at 9131 West Florissant, Police Officer McCann and Police Officer McCoy were to speak to the manager of the restaurant, Mr. Keith Eyer. They were instructed to inform the manager of the restaurant that he should close the business for the night for the safety of the employees and patrons.

While the officers were speaking with the manager, Sergeant Ryan overheard several persons on the lot of the Ferguson Market making threatening statements such as: "tear it apart", "burn this mother fucker down" and "loot this shit". Sergeant Ryan was unsure if these persons were referring to the McDonald's restaurant or another business.

When Police Officer McCann and Police Officer McCoy returned, they advised him that the manager had agreed to close the business in ten minutes. Based upon the recently overheard threats, Sergeant Ryan directed Police Officer Hill and Police Officer McCoy to return to the business and exhort the manager to close immediately. Moments after the officers entered the restaurant Police Officer Matthew Steinmetz entered the business to provide whatever assistance might be required.

When the officers exited the premise they had effected the arrest of two persons; one person by Police Officer McCann and the other by Police Officer Steinmetz. Police Officer McCann provided the following synopsis explaining the events that had occurred within the restaurant.

Police Officer McCann related to Sgt. Ryan that Mister Eyer had concurred that the danger was sufficient to close the restaurant immediately. He had requested the assistance of the officers in ensuring that all of the patrons were out of the restaurant in order that he might complete the closing process. Police Officer McCann concluded that all patrons were now out of the premise and the employees would be leaving as soon as their duties would allow. Refer to complaint number 15-24768 and 15-24769 for full details concerning the arrest of these two persons and the events that occurred within the McDonald's.

While the officers were inside the premise of the restaurant, Sergeant Ryan was standing near the southeast door of the restaurant by a railing. It was there that he first met with Ms. Tracey White. Sergeant Ryan described Ms. White as confrontational. He elaborated that she demanded

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to re-enter the premise of the building as her son, William Davis, was inside making a purchase. Sergeant Ryan explained that she could not re-enter the restaurant and that he son would be joining her shortly.

After Mister Davis exited the premise, Ms. White continued to refuse to leave and then changed her statement. She told Sergeant Ryan that she could not leave and needed to re-enter the restaurant as this was the location that her husband was to pick her up. She went onto say that she could not leave as she did not have a telephone and could not contact her husband. Sergeant Ryan responded that she could use his telephone should she desire. She declined and continued to refuse to leave the premise.

Sergeant Ryan explained that she could be picked up by the intersection of Ferguson Avenue and Sharondale Circle as this was the closest locale that was safe for her and her son and was within walking distance.

Initially, Ms. White continued to refuse to leave, but eventually relented and was observed walking with Mister Davis, south from the restaurant. As the restaurant was clear of individuals, Sergeant Ryan and the officers under his supervision returned to the skirmish line.

After several minutes, the line was ready to continue to move. The line moved in a southwesterly direction first across the parking lot of McDonald's and then onto the parking lot of the Ferguson Market located at 9101 West Florissant Avenue. This action took several minutes, as there were many persons on both the lot of the McDonald's restaurant, as well as the parking lot of the Ferguson Market. Additionally, in order for officers to cross from the parking lot of the McDonald's to the parking lot of the Ferguson Market, they had to scale a short cement wall with a chain-link fence affixed to the top of the wall.

The line was able to proceed only when all of the officers had navigated the fence and the line had been reformed. The line then continued south to Ferguson Avenue where it turned and began to walk west. When the line reached the private roadway designated as Sharondale Court, Sergeant Ryan observed that a landscaping contractor with a trailer that had apparently attempted to execute a U-turn from eastbound Ferguson Avenue to drive westbound on Ferguson Avenue. This attempt had resulted in the truck and trailer becoming stuck between a fence, and street sign on the grassy area near the northwest corner of the intersection.

Police Officer McCann, Police Officer McCoy and Police Officer Hill attempted to assist this person back to the roadway in order that he might drive west. While the officers were engaged in this activity, the officers were confronted by Ms. White who demanded to be allowed to return to the McDonald's restaurant. She was directed to stand back

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and away from the vehicle several times, as the vehicle was moving in different directions in order to navigate the fence and the street sign.

Ms. White refused to move from the scene and continued to attempt to argue with the officers. When Sergeant Ryan observed that Ms. White would not back away from the officers, he intervened and began to direct her to walk west away from the scene of the vehicle. This command was repeated numerous times.

Ms. White demanded to know where her husband could pick her up. Sergeant Ryan replied that he could pick her up at the top of the hill. Ms. Replied she did not want to leave and accused Sergeant Ryan of being a member of the "Gestapo."

Ms. White concluded that she did not have to listen to the officers and was free to proceed as she wished. Sergeant Ryan told Ms. White that she was allowed to go wherever she wished as long as she did not interfere with the officers as they were doing their duty, and did not attempt to return to the area that was not safe.

Ms. White yelled at Sergeant Ryan that she did not have to listen to him and that she was going to return to the restaurant. She then walked through the scene of the stranded vehicle then through the skirmish line and began to walk toward West Florissant Avenue.

At that time Sergeant Ryan directed that Ms. White be arrested for Interfering with the Duties of a Police Officer. Two officers of the Saint Charles County SWAT unit complied with this directive. Sergeant Ryan observed that Ms. White was being led in the direction of a police vehicle of the Ferguson Police Department.

Moments later Sergeant Ryan was made aware that Mister Davis had also been taken into custody. Police Officer McCoy advised Sergeant Ryan that Mister Davis had refused to leave the scene of the stranded vehicle preventing the officers from being able to free the vehicle. After several warnings by Police Officer McCoy, Mister Davis was arrested.

After the two arrests, the skirmish line was reformed near the top of the hill, near the intersection of Ferguson Avenue and Sharondale Circle where there were between seventy-five to a hundred persons protesting. This line would be held until they officers were relieved. This concluded the statement made by Sergeant Ryan.

On March 19, 2015 Detective Menzenwerth interviewed Police Officer Terrence McCoy DSN 3937 commissioned officer of the Saint Louis County Police Department assigned to the Division of Special Operations, Bureau of Tactical Support, Neighborhood Enforcement Team. Officer McCoy was able to provide the following information.

Officer McCoy began that on August 13, 2014 he along with Police Officer Daniel Hill and Police Officer Michael McCann were under the supervision of Sergeant David Ryan and were assigned to a skirmish line on West Florissant Avenue north of Ferguson Avenue. This skirmish line was walking south and among other duties was to advise businesses that their safety could not be guaranteed.

When the skirmish line reached the McDonald's on West Florissant Avenue, Police Officer McCoy along with Police Office McCann met with Mister Eyer the manager of the restaurant. After advising Mister Eyer of their concerns, he agreed that the business should be closed. It was agreed that the patrons would be given ten minutes to leave the establishment at which time the employees of the business could begin to shut it down for the day.

Police Officer McCoy and Police Officer McCann then advised Sergeant Ryan of their conversation with Mister Eyer and the fact that he would close the restaurant. Sergeant Ryan told them that recent developments dictated that the restaurant should close immediately.

Sergeant Ryan directed that Police Officer McCoy along with Police Officer Hill should re-enter the McDonald's and impress upon Mister Eyer of the need to close immediately. After several minutes the officers were joined by Police Officer McCann, Police Officer Steinmetz as well as officers of the Ferguson Police Department.

Mister Eyer requested the assistance of the police department in asking the remaining patrons to leave the premise. Mister Eyer explained that he had already asked that they should leave but that there were two persons who were making no effort to move.

These two persons would eventually be arrested in the seating area of the restaurant. After Police Officer McCoy assisted in the arrest of these two persons, he returned to the front or east side of the business.

While there, Police Officer McCoy observed Sergeant Ryan engaged in a debate, with the person later identified as Ms. Tracey White. After several minutes, Ms. White left the premise walking with the person later identified as Mister William Davis. They were walking south on West Florissant Avenue away from the restaurant.

Police Officer McCoy then rejoined the skirmish line. This line walked across the parking lot of the McDonald's and then across the parking lot of the Ferguson Market. When they reach Ferguson Avenue the line turned and began to walk west on Ferguson Avenue up a hill.

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Before they could reach the top of the hill, Police Officer McCoy observed a truck with a trailer stuck between a street sign and a fence on a grassy area. Police Officer McCann began to speak with the driver of the vehicle and attempted to help him to navigate away from the sign and the fence.

While Police Officer McCann was engaged in this activity, Ms. White, whom he had observed previously, began to walk where Police Officer McCann was, attempting to direct the vehicle. Officer McCoy believed that this was dangerous, as the driver of the truck was in reverse gear at that time and therefore may not have seen Ms. White.

Sergeant Ryan directed Ms. White to move, to which she replied that she did not have to move. Sergeant Ryan repeated his command to move at least five times. On each occasion, Ms. White made a statement to the effect that she did not have to listen to him and that she did not have to move.

At one point, Sergeant Ryan told Ms. White that she had options as to where she could move to include: walking up the hill or walking into the apartment complex. Ms. White did not take either of these options. Rather, she walked through the area where Police Officer McCann was working and began to walk through the skirmish line.

It was at that time that Sergeant Ryan ordered the arrest of Ms. White. Officers of a different agency took Ms. White into custody and she was removed from the scene.

While Sergeant Ryan was speaking with Ms. White, her son, Mister William Davis, was standing next to Police Officer McCoy in the area that Police Officer McCann was working. Police Officer McCoy inquired of Mister Davis if he saw what his mother was doing. Mister Davis responded to the effect that in fact he did see her actions and understood the directions being given by Sergeant Ryan. When she was being taken into custody, his only request of the officer was that they do not hurt her. Police Officer McCoy replied that his mother would not be injured.

It was at that time that it became apparent that Mister Davis would need to move for his safety. Police Officer McCoy directed Mister Davis to leave several times. Mister Davis did not respond, but did not leave either.

Police Officer McCoy repeated his command to move. Mister Davis stated that he had nowhere else to go and did not move from where he was standing. Finally, Police Officer McCoy advised Mister Davis that if he did not move, he would be placed under arrest. Mister Davis did not respond, but did not move either. Therefore, Police Officer McCoy placed Mister Davis under arrest for Interfering With the Duties of a Police Officer.

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Mister Davis was arrested without incident. Police Officer McCoy secured Mister Davis with flex-cuffs, which were checked for fit. Mister Davis was remanded to the custody of the Ferguson Police Department who were on the scene. This concluded the statement given by Police Officer McCoy.

On March 19, 2014 Detective Menzenwerth interviewed Police Officer Matthew Steinmetz, DSN 3353, commissioned officer of the Saint Louis County Police Department, assigned to the Division of Special Operations, Bureau of Tactical Support, Tactical Operations Unit. Police Officer Steinmetz was able to provide the following information.

Police Officer Steinmetz began that on August 13, 2014 he was assigned by the Command Post to assist with a skirmish line that had formed on West Florissant Avenue at Canfield Avenue. When the line walked south, officers would enter open businesses and advise them that it was not safe to stay open.

When the skirmish line reached the McDonald's restaurant on West Florissant Avenue, two officers met with personnel of the business.

Minutes later, they returned. After a brief conversation, it was determined that officers should re-enter the restaurant and convince the manager to close the business.

Officer Steinmetz went on to say that immediately prior to entering the restaurant, he observed Ms. White speaking with Sergeant Ryan. Officer Steinmetz was only able to recall that she was telling Sergeant Ryan, in an argumentative tone, that she was eating. Officer Steinmetz explained that he was not a party to this conversation, but only heard it as he was walking by to enter the restaurant.

When Police Officer Steinmetz entered the restaurant, he observed that there were a number of employees behind the counter. He was advised by one of the officers, he believed was this was Officer McCann but could not recall specifically, that there were two patrons who were refusing to leave. Eventually, these two persons would be placed under arrest and removed from the restaurant.

Police Officer Steinmetz then rejoined the skirmish line. After several minutes, the line moved across the McDonald's parking lot to the Ferguson Market parking lot. When the line reached Ferguson Avenue, it turned right and began to walk west from West Florissant Avenue up the hill toward Sharondale Circle.

The next occasion that Officer Steinmetz observed Ms. White was as she was walking west from West Florissant Avenue on Ferguson Avenue up the

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hill. He believed that there was another person with her, but was not sure.

About half way up the hill, Officer Steinmetz observed that a vehicle had become stuck between a fence and a sign post. Officers of the Saint Louis County Police Department appeared to be helping the driver to return to the roadway. At this same time, Officer Steinmetz observed Ms. White step through the skirmish line. She was then taken into custody by Sergeant Ryan and other officers. Police Officer Steinmetz did not observe the arrest of Mister Davis. Police Officer Steinmetz remained with the skirmish line until he was relieved. This concluded the statement given by Police Officer Steinmetz.

On April 20, 2015 Detective Menzenwerth interviewed Police Officer Michael McCann, DSN 2648, commissioned officer of the Saint Louis County Police Department assigned to the Division of Special Operations, Bureau of Tactical Operations, Neighborhood Enforcement Team. Officer McCann was able to provide the following information.

Officer McCann began that on August 13, 2014 he along with Police Officer Hill and Police Officer McCann were under the supervision of Sergeant David Ryan and were assigned to a skirmish line on West Florissant Avenue north of Ferguson Avenue. This skirmish line was walking south and among other duties, was to advise businesses that their safety could not be guaranteed.

When the skirmish line reached the McDonald's on West Florissant Avenue, Police Officer McCoy, along with Police Office McCann, met with Mister Eyer, the manager of the restaurant. After advising Mister Eyer of their concerns, he agreed that the business should be closed. It was agreed that the patrons would be given ten minutes to leave the establishment, at which time the employees of the business could begin to shut it down for the day.

Police Officer McCann would enter the restaurant minutes later with Police Officer Steinmetz and officers of the Ferguson Police Department. While in the restaurant, Police Officer McCann effected the arrest of one of the persons who was on the premise. This person was not either of the suspects in this matter.

After the arrest, the skirmish line was re-established. The line walked across the parking lot of the McDonald's restaurant and then across the parking lot of the Ferguson Market. When the line reached the intersection, the line turned right and began to walk up the hill.

As they were walking, Police Officer McCann observed a pickup truck with a trailer that appeared to be lodged between a fence and the roadway signage. Police Officer McCann approached the driver, who explained that

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he had observed the skirmish line walking up the hill and had attempted to execute a U-turn in order to leave the area. As a result he had become lodged as described. Police Officer McCann and Police Officer McCoy then began to assist the driver in navigating back to the roadway.

While assisting the motorist, Ms. White and Mister Davis walked into the area where the officers were working. Sergeant Ryan made repeated attempts with Ms. White to get her to leave. These efforts were to no avail and Ms. White was taken into custody.

Police Officer McCoy addressed himself to Mister Davis and directed him to leave. After several attempts to get Mister Davis to leave to no avail, Police Officer McCoy arrested Mister Davis.

Police Officer McCann was then able to assist the motorist back to the roadway. He then rejoined the skirmish line. The line walked to the top of the hill where they remained unit relieved. This concluded the statement given by Police Officer McCann.

On April 20, 2015 Detective Menzenwerth interviewed Police Officer Daniel Hill, DSN 3879, commissioned officer of the Saint Louis County Police Department assigned to the Division of Special Operations, Bureau of Tactical Support, Neighborhood Enforcement Team. Officer Hill was able to provide the following information.

Officer Hill began that on August 13, 2014 he, along with Police Officer Daniel McCoy and Police Officer Michael McCann, were under the supervision of Sergeant David Ryan and were assigned to a skirmish line on West Florissant Avenue north of Ferguson Avenue. This skirmish line was walking south and among other duties was to advise businesses that their safety could not be guaranteed.

When the skirmish line reached the McDonald's on West Florissant Avenue, Police Officer McCoy, along with Officer McCann, went into the restaurant to advise the manager that the business should close. When they returned, the officers reported that it was agreed that the patrons would be given ten minutes to leave the establishment, at which time the employees of the business could begin to shut it down for the day.

Police Officer McCoy and Police Officer Hill were told of recent developments by Sergeant Ryan that dictated that the restaurant should close immediately. They were told to re-contact the manager and impress upon him the need to close.

Police Officer Hill, along with Police Officer McCoy, met with Mister Eyer, the manager. After speaking with him, he agreed that the restaurant should close immediately. Mister Eyer also requested the

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assistance of the officers in having the patrons of the business leave. After several minutes, the officers were joined by Police Officer McCann, Police Officer Steinmetz, as well as officers of the Ferguson Police Department.

Officer Hill observed that there were still several people in the restaurant, of which two did not appear to be making any attempt to leave. These two persons would eventually be arrested in the seating area of the restaurant. Neither of these person were Mister Davis or Ms. White.

After leaving the restaurant, the skirmish line was reformed. The line walked across the parking lot of the McDonald's and then the Ferguson Market. When the line reached Ferguson Avenue, it turned right and began to walk up the hill.

Near the top of the hill, a truck with a trailer had left the roadway and become stuck by a fence. Police Officer McCann and Police Officer McCoy were attempting to help the driver return to the roadway and be able to leave.

It was at that time that Police Officer Hill observed Ms. White attempt to step through the line and was subsequently taken into custody. Minutes later, Mister Davis was also taken into custody.

After these two persons were removed from the scene and after the vehicle was dislodged the skirmish line moved to the top of the hill where it remained until relieved. This concluded the statement given by Police Officer Hill.

On April 23, 2014 Detective Menzenwerth, along with Detective Wolff, DSN 2909, detached to the Division of Operational Support, Bureau of Personnel Services, Planning and Analysis Unit, interviewed Mister Keith Eyer, the manager of the McDonald's on August 13, 2014 during the time of this incident.

Mister Eyer began that in the evening of that date, he observed that a skirmish line had formed across West Florissant Avenue and was walking south. When the line reached the parking lot of the restaurant, Mister Eyer went outside the business.

While outside, he met with two police officers who stated that he should close the restaurant as the police could not ensure the safety of any of the persons in the business. As a result of that conversation, it was agreed by Mister Eyer and the officers that the restaurant would close in ten minutes.

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About a minute later, two police officers entered the restaurant and advised him that there had been a change of plans and that he should shut down immediately. Mister Eyer agreed with this new plan.

Inside the restaurant were two persons who had made no effort to finish what they were doing and to pack their belongings. Both of these persons would be arrested on the premise of the McDonald's. These two persons were the only arrests made at the McDonald's on that date and time. Neither of these persons were Mister Davis or Ms. White.

Mister Eyer watched as the officers in the skirmish line pushed across the McDonald's parking lot and climb over the fence that separated the McDonald's restaurant from the Ferguson Market. The line was then reformed and moved across the parking lot to Ferguson Avenue.

Mister Eyer contacted his supervisor by text message and advised that person that the restaurant was closing early and the reason that the restaurant was to close. This person concurred with the decision to close. This concluded the statement given by Mister Eyer.

On April 23, 2015 Detective Menzenwerth interviewed Police Officer Justin Sparks, DSN 3813, commissioned officer of the Saint Louis County Police Department, assigned to the Division of Special Operations, Bureau of Tactical Support, Tactical Operations Unit. Police Officer Sparks was able to provide the following information.

Police Officer Sparks began that on August 13, 2014 he was assigned by the Command Post to assist with a skirmish line that had formed on West Florissant Avenue at Canfield Avenue. When the line walked south, officer would enter open businesses and advise them that it was not safe to stay open.

When the skirmish line reached the McDonald's restaurant on West Florissant Avenue, two officers met with personnel of the business. Minutes later, they returned advising that the business would close in ten minutes.

While the officers were inside the restaurant, Police Officer Sparks heard several demonstrators making comments concerning the restaurant to the effect that it was to be looted and subject to arson. Police Officer Sparks was able to recall one of the demonstrators stating, "We are going to burn this bitch down."

Officers were then directed to re-enter the restaurant and convince the manager to close the business. When the business had been cleared, the skirmish line moved across the parking lot and eventually to the intersection of Ferguson and Sharondale Circle. The officers remained at

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that intersection until they were relieved. This concluded the statement made by Police Officer Sparks.

On April 23, 2015 Detective Menzenwerth interviewed Police Officer Sean Murphy, DSN 3668, commissioned officer of the Saint Louis County Police Department, assigned to the Division of Special Operations, Bureau of Tactical Support, Tactical Operations Unit. Police Officer Murphy was able to provide the following information.

Police Officer Murphy began that on August 13, 2014 he was assigned by the Command Post to assist with a skirmish line that had formed on West Florissant Avenue at Canfield Avenue. When the line walked south, officer would enter open businesses and advise them that it was not safe to stay open.

Police Officer Murphy added that while the skirmish line was at the intersection of West Florissant and Sharondale Court, he observed Sergeant Ryan direct Ms. White to leave numerous times. On each occasion that she was directed to leave, Ms. White refused to leave. When Ms. White stepped through the skirmish line, she was arrested by Sergeant Ryan and other officers.

Police Officer Murphy also overheard Police Officer McCoy direct Mister Davis to move from the scene. Mister Davis replied that he had nowhere else to go. Police Officer McCoy eventually arrested Mister Davis, as he would not move from where he was standing. This concluded the statement made by Police Officer Murphy.

On April 25, 2014 Detective Menzenwerth conducted a review of the radio transcriptions for that date. That reveals that at 7:12 PM, Sergeant Ryan requested a conveyance van to the intersection of West Florissant Avenue and Ferguson Avenue. Additionally, he requests three teams to the intersection of Ferguson Avenue and Sharondale. Detective Menzenwerth contacted Sergeant Ryan who explained that the conveyance van was requested to convey Ms. White and Mister Davis. The three teams were requested to assist the officers who were at that intersection as there was a crowd of between seventy five and one hundred persons gathered in that immediate area.

An audio recording was made of the indicated radio transmissions. These would be marked packaged and later remanded to the custody of Detective Wolff to be transported to the Seventh Precinct.

Detective Menzenwerth obtained a copy of the video surveillance recordings made by the McDonald's restaurant. These recordings would be remanded to the Digital Forensics Unit for evaluation. That examination

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was not complete at the time of this writing. The findings of the Digital Forensics Unit will be contained in a supplemental report.

In conclusion, Ms. Tracey White and her son, Mister William Davis, were at the McDonald's restaurant near the intersection of West Florissant and Ferguson Avenue. Ms. White and Mister Davis were directed to leave the restaurant, as it was closing. Initially, Ms. White refused to leave the premise, but eventually moved away toward Ferguson Avenue. At the intersection of Ferguson Avenue and Sharondale Circle, Ms. White interfered with the duties of the officers who were attempting to assist a motorist. Mister Davis would also be arrested when he would not move from the scene.

This incident is to be considered as Cleared by Arrest. Warrant will be made in this matter. Any further information will be contained in a supplemental report.